

Commissioners
Marisel A. Hernandez, *Chairwoman*
William J. Kresse, *Commissioner/Secretary*
Jonathan T. Swain, *Commissioner*
Lance Gough, *Executive Director*



Board of Election Commissioners for the City of Chicago
Minutes of Regular Board Meeting
November 27, 2018, 9:30 a.m.
69 West Washington Street, 8th Floor Conference Room, Chicago, Illinois 60602

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Adam W. Lasker, General Counsel
Charles Holiday, Assistant Executive
James P. Allen, Communications Director
Bill Perez, Coordinator Hispanic Outreach
Peter Peso, Deputy Chief Administrative Officer
Amanda Robledo, Purchasing
Deborah Moss, Consultant
Trupti Patel
Michal Czech, Videographer
Trish Sheehy

Guests:

Sandy Hed, Election Works
Helene Gabelnick, League of Women Voters of Chicago (LWV Chicago)
Judd Ryan, ES&S
C. Betty Magness, Rainbow PUSH Coalition
Bebe Novich, Equip for Equality

- I. Call to Order: The Chairwoman called the meeting to order at 9:33 a.m.**
- II. Roll Call: All members were present**
- III. Consideration of Agenda: no changes to the agenda were made.**
- IV. Approval of Minutes**
 - A. Minutes of the Regular Board Meeting of October 23, 2018: Commissioner Swain moved to approve the Minutes of the Regular Board Meeting of October 23, 2018. Commissioner Kresse Seconded the motion. The motion passed and the Minutes were approved by a 3:0 vote of the Board**
- V. Executive Director's Report**

Executive Director Lance Gough reported:

- Mr. Gough called upon Bebe Novich of Equip for Equality (EFE) to provide EFE's report regarding the its work with the Board toward compliance with the Americans with Disabilities Act.

Ms. Novich reported:

- Designed an electronic survey tool with a paper alternative; its checklist is based on the checklist provided by the Department of Justice (DOJ) with the Board's embellishments. The embellishments were designed to better capture and crunch data.
 - EFE amassed many volunteers for Election Day, including: Law Students, Lawyers and corporate partners. We had approximately 275 total volunteers, including an estimated 40 EFE staff members. Law schools were really pushing participation. Some giving students Election Day off to do volunteer work including Northwestern Law and Chicago-Kent. In the past, volunteers were mostly staff. The volunteers were able to complete about 540 surveys. We found that having 2 member teams, 1 calling or measuring and the other recording the data allowed for the better capture of data.
 - There were some challenges with connectivity, but had paper surveys as backup.
 - EFE found the Judges of Election and Election Coordinators very welcoming, open and cooperative this time as they recognized the surveyors and the job they were doing. This was thanks to the education the Board provided the Judges and Coordinators.
 - It has been great working with the Board, specifically Deborah Moss, Clint Hurde, Brandon Pickens, Lance Gough and Adam Lasker.
- Mr. Gough stated that we are going to have a recap meeting with EFE and DOJ while it's still fresh in everyone's mind and then a going-forward meeting.
 - Meeting with Assistant Executive Director Charles Holiday to set up a staff debriefing Thursday. Hope to have notes for the Board. We may have to move some staff around.

A. Assistant Executive Director (Charles Holiday)

Mr. Holiday reported:

- He wishes to thank Joan Agnew and Ron Boyd for their work with the 5% test and with Obvious Discrepancies.
- We had 243 aldermanic candidates file. Thanks to Brandon Pickens for transportation to and from the commercial printer/scanner service we used. And to Jesse Williams who sat with the petitions during the entire process.

- Extending public viewing hours for reviewing petitions. The hours will be 9 am - 8 pm, Monday through Friday; 9 am - 6 pm Saturday and Sunday. We have set up 50 laptops downstairs on the 6th Floor and in the lower level for overflow.
- We are cleaning up from November and getting ready for February.
- The Building has begun construction to conference room C. They are scheduled to be completed by December 3rd. Mr. Gough added that the Building has created more conference rooms that we can rent from them.
- Commissioner Swain commented to Mr. Holiday that this was the first time that the Commissioner observed the filing process from this side. The staff was consistent, did a great job, and were well trained. The process was well managed. He commended the staff. Mr. Holiday will relay this to Christopher Tomecek.

B. Communications Director (Jim Allen)

Communications Director Allen reported:

- It's nice to have the 2018 elections behind us. All focus has already gone to 2019
- 2018 highlights: Vote by Mail (VBM) – have to commend Steve Cieslicki and his crew. We had 87.4% return rate, and that's astounding. For a midterm it's usually 60-75%. Another half of the remaining twelve percent of those who applied for VBM and who did not return the ballot voted in person either Early Voting (EV) or on Election Day.
- We had just over 1% of ballots cast use provisional ballots: 8,000 - 9,000.
- Participation was up in every age group. For ages 45 and up we're talking a 15% increase. Those age groups of 44 years old and younger had ranges of increase between 45 and 90% higher turnout than 4 years ago. The question of whether Millennials will ever turn out for a mid-term has been answered: it's a resounding "yes."
- The Provisional database is up on our website.
- We are beginning to flip website pages to content relative to the February election.
- Statistics show that participation has shifted over the past few elections. The turnout was much heavier than ever on the Northside than on the Southside, even more than 4 years ago.
- Tomorrow we activate the online VBM application system for the February election.
- Commissioner Kresse had asked a 3-4 meetings ago for a test audit of signatures. We have worked out a plan with the VBM and IT departments to conduct a non-intrusive way to gather records from the Agilis system to scan images from the envelopes that voters return their ballots in, so that we can do a test audit without opening up any of the records or envelopes. We can do a 2% audit. This is

not required by state law, but given the magnitude of Early Voting and Vote by Mail it would be a prudent course.

VI. Old Business

A. Infrastructure Projects and Changes in Election Administration: We will continue with this and with voting equipment after the February and runoff elections.

B. Electronic Poll Books

Judd Ryan of ES&S reported that they had a pretty good day on Election Day and will meet with Mr. Holiday tomorrow to go over what happened in November and prep for February.

C. Voting Equipment: (see "A" above)

D. Legislation: General Counsel has nothing to report at this time.

VII. New Business

A. Approval of outside counsel to serve as electoral board hearing officers in relation to the February 26, 2019, municipal general election.

Mr. Lasker provided the background on this item:

- We have heard back from returning Hearing Officers and 18 new Hearing Officers to bolster the list to 42.
- Working with Attorney Barb Goodman for an actual curriculum (training for new, and briefing for all). Mr. Lasker is looking forward to it.
- Commissioner Kresse made a motion to approve the agreement through April 30, 2019 at a rate of \$200/hour, the Executive Director to execute the agreements. Commissioner Swain seconded the motion. The motion passed by unanimous vote of the Board.

B. Professional Service Agreement between the Chicago Board of Elections and Deborah K. Moss.

- Mr. Lasker noted that Ms. Moss has been working diligently and done a tremendous job, requiring patience and organization.
- She helped draft the guidebook and checklist for the ADA survey.
- Proposed to keep 1 more year as we work with this endeavor with the DoJ
- Mr. Gough added that he went to Mr. Lasker to get Ms. Moss' agreement extended. EFE and DoJ work well with Ms. Moss.
- Bebe Novich of Equip For Equality (EFE) emphasized that Deborah is the backbone of this project. Ms. Novich went out in the field with Ms. Moss, "she is golden"
- Commissioner Swain moved to approve the agreement at a rate of \$60/hour not to exceed \$109,000 over the term of January 1, 2019 through December 31, 2019. The motion was seconded by Commissioner Kresse. The motion passed and the agreement was approved by unanimous vote of the Board.

VIII. Legal Report

General Counsel Lasker reported:

- The petition filing crew, Mike Czech and Chris Tomecek, did an excellent job.
- December 3rd is the deadline to file. December 20th is the ballot certification deadline. We cannot have the first hearing until Dec 10th, so we have 10 days for hearing and to determine the ballots.
- We will give as much time as possible, but we have to have a quick turn around on the objections.
- Commissioner Swain stated that we can expect many *pro se* litigants. How are we going to deal with the *pro se* litigants for scheduling? Mr. Lasker stated that the Hearing Officers are able to guide, but cannot advocate either side. The rules set some deadlines, but the Hearing Officers have some discretion. Everyone has to be prepared to move fast. It is recommended that candidates and others keep an eye on our website for scheduling. We are statutorily required to serve notice through Certified Mail and Sheriff's service, but they do not work as fast as our website.

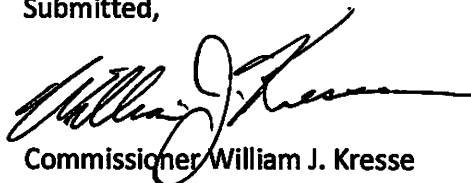
IX. **Financial Report** [none]

X. **Public Comment** [none]

XI. **Executive Session** [none]

XII. **Adjournment:** Commissioner Swain moved to adjourn until the next scheduled meeting on December 11, 2018 at 9:30 a.m. Commissioner Kresse seconded the motion. The Board voted unanimous to adjourn until the next scheduled meeting. The meeting was adjourned at 9:56 a.m.

Submitted,



Commissioner William J. Kresse
Secretary